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United States Patent and Trademark Office

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GUY D. YALE, ESQ.

MESSAGE:

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Thomas A. Hatfield

Digne F. Covello

CONFIRMATION COPY TO FOLLOW

☐ YES

NO 図

Re:

United States RCE Patent Application

Corresponding to United States Patent Application No. 09/923,288 Title: Deck Screws Suitable for Use with Composite Lumber

Inventor(s): Hubert T. McGovern, et al

Filing Date: August 6, 2001 Our Ref: OMG/129/US

OF COUNSEL James E. Alix

Richard H. Berneike (1932-2004)

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Ser No: 09 193,288 Dockets (AIG/129/US Date: TEC 20 2004
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Applicant: HUDERT THE COURT Et Q1
TO: The Honorable Commissioner of Patents and Trademarks
Please acknowledge receipt of the items checked below by stamping hereon the
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[] New patent application:UtilityDesign [] Missing parts of application:
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Title/Mark: De CY Screws Sut able to Date: Dec 20 acct Applicant: Hubert The Court of Patents and Trademarks Please acknowledge receipt of the items checked below by stamping hereon the I Now extent as all application number, if applicable).
New patent application: Utility Design Missing parts of application: Declaration and Power of Attorney Unsigned Missing Parts Fee: \$ Drawing sheets; Figs. Formal Informal Filing Fee: \$ Informal Information Information
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Alexandria, VA 22313-1450 www.uspto.gov

APPLICATION NUMBER FILING DATE FIRST NAMED APPLICANT ATTY, DOCKET NO,/TITLE

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ī	DATE MAILED:	red U
NOTICE OF IMPROPER REQUEST FOR CONTINUED I	EXAMINATION (RCE)	
The request for continued examination (RCE) under 37 CFR 1.114 filed on	12.20.04	is
 Continued examination under 37 CFR 1.114 does not apply to an application under 3 Applicant may wish to consider filing a continuing application under 3 Applicant may wish to consider filing a continuing application under 3 Applicant may wish to consider filing a continuing application under 3 Applicant may wish to consider filing a continuing application under 3 Applicant may wish to consider filing a continuing application under 3 Applicant may wish to consider filing a continuing application under 3 Applicant may wish to consider filing a continuing application under 3 Applicant may wish to consider filing a continuing application under 3 Applicant may wish to consider filing a continuing application under 3 Applicant may wish to consider filing a continuing application under 3 Applicant may wish to consider filing a continuing application under 3 Applicant may wish to consider filing a continuing application under 3 Applicant may wish to consider filing a continuing application under 3 Applicant may wish to consider filing a continuing application under 3 Applicant may wish to consider filing a continuing application under 3 Applicant may wish to consider filing a continuing application under 3 Applicant may wish to consider filing a continuing application with the continu		
2. Continued examination under 37 CFR 1.114 does not apply to an apply to an apply to an apply to a 1995. Applicant may wish to consider filing a continuing apply		
3. Continued examination under 37 CFR 1.114 does not apply to an apthe application is closed. If the RCE was accompanied by a reply to the reply will be entered and considered under 37 CFR 1.111. If the a reply, the time period set forth in the last Office action continues to a reply.	plication unless prosecur a non-final Office action, RCE was <u>not</u> accompan run from the mailing date	ied by of that
 4. The request was not filed before payment of the issue fee, and no paymented. If this application has not yet issued as a patent, applicant a petition under 37 CFR 1.313 to withdraw this application from issuunder 37 CFR 1.53(b). 	e, or a continuing applica	luon.
5. The request was not filed before abandonment of the application. Applican or proceedings terminated on		
6. The request was not accompanied by the fee set forth in 37 CFR 1. 1.114. Since the application is not under appeal, the time period set of the set of continues to run from the mailing date of that a	17(e) as required by 37 (e) to the final Office of a cition or notice.	action or
7. The request was not accompanied by a submission as required by application is not under appeal, the time period set forth in the final application is not under appeal, the time period set forth in the final application is not under appeal, the time period set forth in the final application is not under appeal.	37 CFR 1.114. Since the Office action or notice of notice.	
Note: A continued prosecution application (CPA) under 37 CFR 1.53(d) application. A CPA filed in a utility or plant application that has a filing date treated as an RCE under 37 CFR 1.114. The request for a CPA in the been treated as an improper RCE for the reason(s) indicated above.	<u>cannot</u> be filed in a utility te on or after June 8, 19 instant application, how	or plant 195 will ever, has
A copy of this notice MUST be returned wit	h any reply.	
Direct the reply and any questions concerning this notice to: July Technology Center 3670 (703) 30 8 - 20 8		
FORM PTO-2051 (Rev. 7/2003)		

Attorney Docket: OMG/129/US

NEW UTILITY PATENT APPLICATION TRANSMITTAL

Mail Stop Patent Application Commissioner For Patents P.O. Box 1450 Alexandria, VA 22313-1450 Sir: Transmitted herewith for filing is the
Utility
Design patent application of: First named Inventor: Hubert T. McGovern, et al For: Deck Screws Suitable for Use with Composite Lumber Enclosed are: Sheets of Specification ☐ Formal ☐ Informal Drawing Sheets Containing Figures _____ to A Return Receipt Postcard. An Assignment of the Invention. Application. A Certified Copy of a A Copy of Inventor's Declaration signed unsigned An Application Data Sheet. Declaration Under 37 C.F.R. §1.132 of Commercial Success and Unexpected Results Submission Under 37 CFR §1.114, Amendment and Reply Filed With Request for Continued Examination (RCE) If checked, this application is a: Continuation Continuation-in-part Divisional Request for Continued Examination (RCE) previously examined by Application of prior United States Patent Application No. 09/923,288 _ (Examiner) in Group/Art Unit 3679 Jori Schiffman For Continuation or Divisional Applications: The entire disclosure of the prior application, from which an oath or declaration is supplied, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts. If checked, a REQUEST FOR NONPUBLICATION OF APPLICATION UNDER 35 U.S.C. §122(b)(2)(B)(i) is attached: I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" Service under 37 CFR 1.10 on ______ December 20, 2004 ____, and is addressed to the "Mail Stop Patent Application, Commissioner For Patents, P.O. Box 1450, Alexandria;

PAGE 4/9 * RCVD AT 2/1/2005 2:08:04 PM [Eastern Standard Time] * SVR:USPTO-EFXRF-1/3 * DNIS:8729306 * CSID:+860 527 5029 * DURATION (mm-ss):03-24

	Attorney Docker:	OMG/129/ US			
The filing fee has been calculated for a Utility Application as shown below:					
Basic fee, Search fee and Examination fee	1 \$1000	\$1,000.00			
Total claims in excess of 20	24 \$50	\$1,200.00			
Independent claims in excess of 3	4 \$200	\$ 800.00			
No. multiple dependent claims presented	\$360	\$ 0.00			
Application size fee (for each 50 sheets or fraction the specification and drawings exceed 100 sheets of page 100 sheets of pag	ereof if the \$250 per)	\$ 0.00			
	e subtotal	\$3,000.00			
if checked, Applicant(s) is(are) a small entity and is entitled to a 50% reduction in the above fee.					
filing with a non-English specification	\$130				
n	*** .00				
A check in the amount of \$ 3,000.00 to cover the RCE filing fee is enclosed.					
It is hereby petitioned that any required extension of time be granted for filing the amendment. An extension of3 month(s) having a fee of \$1,020.00 appears required.					
☑ A check in the amount of \$ 1,020.00 to cover the extension fee is enclosed.					
Please charge my Deposit Account No. 16-2563 in the amount of \$ to Cover the filing fee. A duplicate of this sheet is enclosed.					
The Commissioner is hereby authorized associated with this communication or credit 16-2563. A duplicate copy of this sheet is en	closed.				
The Commissioner is hereby authorized to required during the pendency of this appl Deposit Account No. 16-2563. A duplicate of	charge fees under 37 CFR ication and to credit any oppy of this sheet is enclosed.	overpayment to			
Date: December 20, 2004 Alix, Yale & Ristas, LLP 750 Main Street Hartford, Connecticut 06103 Telephone: (860) 527-9211 Facsimile: (860) 527-5029	By Guy D. Yele Registration No. 2 Attorney For Appl	licant			